

CASE HP/1-22690/A/PCT

CERTIFICATE OF MAILING

I hereby certify that this paper (along with any paper referred to as being attached or enclosed) is being deposited with the United States Postal Service on the date shown below with sufficient postage as first class mail in an envelope addressed to the: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450

Lynn Girolamo
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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

IN RE PCT NATIONAL STAGE APPLICATION OF

Group Art Unit: 1751

MICHAEL GREEN ET AL

Examiner: J. R. Hardee

INTERNATIONAL APPLICATION NO. PCT/EP 03/05563

Confirmation No.: 7425

FILED: MAY 27, 2003

FOR: AQUEOUS POLYMER FORMULATIONS

U.S. APPLICATION NO: 10/516,925

35 USC 371 DATE: DECEMBER 2, 2004

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

Terminal Disclaimer over U.S. app. No. 10/535,799 (37 CFR 1.321(c))

Sir:

I, Tyler A. Stevenson, represent that I am an Agent of record for this invention.

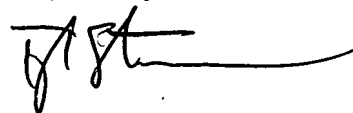
Ciba Specialty Chemicals Corporation, a corporation organized and existing under the laws of the State of Delaware, represents that it is the assignee of the entire interest in present app. No. **10/516,925** by virtue of an assignment recorded in the United States Patent and Trademark Office on August 15, 2005, reel/frame 016885/0471.

Ciba Specialty Chemicals Corporation hereby disclaims, except as provided below, the terminal part of the statutory term of any patent granted on application No. **10/516,925** which would extend beyond the expiration date of the full statutory term defined in 35 U.S.C. 154 to 156 and 173 of U.S. app. No. **10/535,799**, international filing date of November 19, 2003, the patent application forming the basis of the double patenting rejection. The owner hereby agrees that any patent so granted on application No. **10/516,925** shall be enforceable only for and during such period that it and the prior patent are commonly owned, this agreement to run with any patent granted on application No. **10/516,925** and to be binding upon the grantee, its successors and assigns.

Said U.S. app. No. **10/535,799** is also entirely assigned to Ciba Specialty Chemicals Corporation by virtue of an assignment recorded in the United States Patent and Trademark Office on January 9, 2006, reel/frame, 017438/0100.

In making the above disclaimer, the owner does not disclaim the terminal part of any patent granted on the instant application No. **10/516,925** that would extend to the expiration date of the full statutory term as defined in 35 U.S.C. 154 to 156 and 173 of the prior app. No. **10/535,799**, in the event that it later expires for failure to pay a maintenance fee, is held unenforceable, is found invalid by a court of competent jurisdiction, is statutorily disclaimed in whole or terminally disclaimed under 37 CFR 1.321, has all claims cancelled by a reexamination certificate, is reissued in any matter or is terminated prior to expiration of its full statutory term.

Respectfully submitted,



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